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The Hongkong Telegraph

VOL. I NO. 74

TUESDAY, DECEMBER 24, 1946.

Library, Supreme Court

P. G.

Wishes you
A Merry Xmas
and
Prosperous New Year

Price 20 Cents

FORMER CHIEF OF HONGKONG GENDARMERIE FACES TRIAL

ILL-TREATMENT OF RESIDENTS BY KEMPEITAI ALLEGED

MANY WOMEN SET UPON BY JAPANESE ALSATIANS

Stories of ill-treatment of Hongkong residents by the Kempeitai, a powerful organisation by reason of its immediate contact and control of the civilian population and also because of the broad scope of its activities were related to the No. 7 War Crimes Court this morning when Col. Noma Kenosuke, Commanding Officer of the Gendarmes in Hongkong, from 1941 to 1945, appeared before Lieut. Col. C. F. Ball (President), Major M. I. Ormsby and Capt. R. B. R. Gorely. Major McGregor prosecuted.

The charge against the accused is that he, at Hongkong between December 25, 1941, and January 18, 1945, as head of the Kempeitai and its such responsible for public order, the control of Kempeitai personnel and for the management of places of detention at Hongkong, was, in violation of the laws and usages of war, concerned in the ill-treatment of civilian residents, as a result of which numbers of them died or were unlawfully killed by members of the Japanese Forces, and many others underwent physical sufferings.

Asked to plead to the charge, Noma answered in a firm voice: "I am convinced I am not guilty. Noma is defended by Mr. Yoshizumi Tatsuchiro with Capt. Whitehorn as advisory officer."

Long before the case was due to start the Court was packed and the entrances were blocked by those who could not gain admission. More spectators arrived as the case proceeded and these, peeped through closed windows in the passage ways to watch the proceedings.

A large Union Jack hung on the wall immediately behind Members of the Court.

Noma arrived on crutches and was escorted into the dock by Indian guards. Apart from being a bit pale he looked very much the same as during the occupation.

Bulbs flashed and cameras clicked as press photographers followed Noma's passage into the dock.

An application by defence to postpone the hearing until they have had an opportunity to contact Mr. Silva to appear as defence counsel was made by Noma who said that he first received the charge sheet in October. He then applied that besides the Japanese counsel he should like to have Mr. R. S. Smith as additional defence counsel. Mr. Smith subsequently went to see him at Stanley. At that time, Noma said, Mr. Smith told him he had a great mind to appear for him, but since he was busy investigating alleged collaborators he would apply to the authorities concerned for postponement. Mr. Smith said that he would like to appear for Noma as much as possible, but if that was not possible he would recommend Mr. Silva in his stead.

Noma said he had had no further communication from Mr. Smith and only a few days ago he heard from his defence counsel that Mr. Smith applied to the authorities concerned to be Noma's defence counsel, even ignoring his present duties, but this application was rejected. Noma said he would, therefore, like

to have Mr. Silva as his defence counsel.

Major McGregor opposing postponement, said Noma was charged two months ago. At that time it was common knowledge that he had been visited by Mr. Smith whom he requested to defend him. Certain arrangements were pending at the time and Major McGregor said he was later informed that nothing came out of them and that a Japanese Counsel would defend Noma.

As long as the Formosan Camp case was heard by the Court, Major McGregor said he was then informed that the defence was ready to proceed. Nine days ago, however, when he saw the defence counsel no mention of any civilian counsel was made. He said that the Court should decide whether or not Noma has had an opportunity to prepare his defence. He had, however, no objection as to who should appear for him, and he was opposing any adjournment as he thought it was for stalling for time.

Refusing the application, the President said that the Court considered that the defence had had ample opportunity to prepare their defence and that they did not show any valid ground for adjournment. The defence counsel, however, if they wanted, instruct Mr. Silva to appear at a later stage, but in any case the hearing would not be adjourned to-day. (Continued on Page 4)

DOCUMENTS STOLEN

London, Dec. 23. Important documents belonging to the Belgian Government were stolen from a car in the Chelsea district of London to-day.

The car was later found abandoned but the papers were missing. —Reuter.

Greek Frontier Rectification Demanded

Washington, Dec. 22. The Greek Premier Constantinos Tsaldaris, told a press conference he would insist "that his country's demand for the rectification of the Greek-Bulgarian border be heard again by the Big Four Foreign Ministers" in the presence of a Greek representative.

The Foreign Ministers recently rejected Greece's request for changes in the border. The Greek Premier has been conferring for two days with American officials and said he had frankly stated Greece's economic needs for reconstruction. —Reuter.

U. S. Representative

Washington, Dec. 23. The Secretary of State, Mr. James F. Byrnes, has named Mr. Mark E. Thirion, publisher of the Louisville Courier Journal, as American representative on the United Nations Commission to investigate alleged Greek border violations. —Associated Press.

Frontier Clashes

Athens, Dec. 23. Four Greek soldiers and 10 guerrillas were killed in two clashes between the Greek army and guerrilla forces at points near the Greek frontiers with Turkey and Albania, it is reported to-day.

Four soldiers and 15 guerrillas were killed after an all-day battle in the snow-covered hills at Soufli near the Greek-Turkish border.

Another report said that 150 guerrillas, many suffering from frost-bite, had surrendered to Government forces in Macedonia. —Reuter.

Plane's Forced Landing

Athens, Dec. 23. Three Greek Army colonels sent from Salonika to Serres to investigate the forced landing of a Russian plane with two Soviet officers on December 19 reported to the Army headquarters that the plane was on route from Bucharest to Philippopolis, Bulgaria, when it lost its bearings and landed 15 miles inside Greek territory south of the Bulgarian border.

The investigators reported that the plane carried no arms, ammunition, cameras or other military equipment. The Soviet military attaché is now in Serres making arrangements for the return of the two Russian officers to Bulgaria. —United Press.

SHEFFIELD SHIELD CRICKET ON MELBOURNE GROUND

Melbourne, Dec. 23. Eight overs sufficed to finish off the Queensland tail-enders in the Sheffield match to-day when Victoria won by an innings and 132 runs. Queensland's innings closed for 258, Mackay being 63.

Johnston finished with the bowling figures of four for 46 in 24 overs, six of which were maidens. —Reuter.

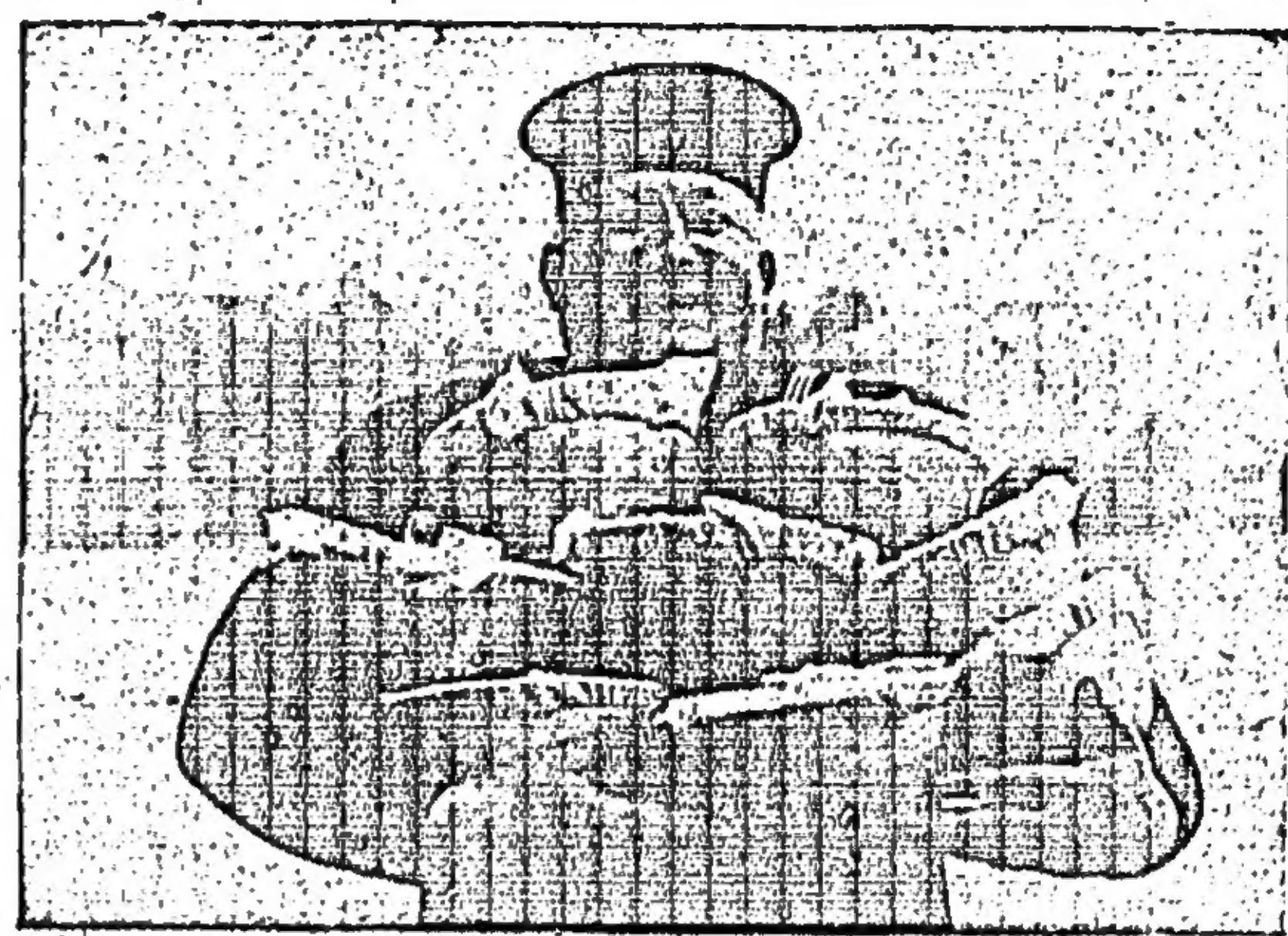
KILLEARN NOT APPROACHED

Singapore, Dec. 23. The office of Lord Killearn, British Special Commissioner for South-east Asia, has denied the Indonesian news agency report that Lord Killearn's attention had been drawn to incidents at Hullenberg, Java, in which Dutch troops were reported to have taken over the Indonesian radio station and occupied the town-hall.

Lord Killearn's spokesman stated: "Lord Killearn has not been approached on the matter, has not seen anybody and has made no comment." —Reuter.

FEDERATION OF MALAYA

Singapore, Dec. 23. A Federation of Malaya, embracing all nine Malay states with reserved power to admit any other territory within the federation and with a High Commissioner in place of the present Government, are among the proposals published to-day for the future constitution of Malaya. —Reuter.



FULL DRAW FOR DAVIS CUP CONTEST

Melbourne, Dec. 23. John Bromwich, Australia's No. 1 player, meets Red Schroeder, unranked in America this year because of insufficient data, in the first singles in the Davis Cup.

The Hongkong Telegraph will not appear to-morrow, Christmas Day, or on Boxing Day. Publication will be resumed on Friday, December 27. We wish our readers a Merry Christmas.

Challenge Round between Australia and the United States, beginning at Kooyong on December 26.

The full draw is: First day, Bromwich v. Schroeder, Dinny Pails (Australia) v. John Kramer (United States); Second day, doubles, Bromwich and Adrian Quist (Australia) v. opponents who will be named after the first day's play;

Third day, reverse singles, Bromwich v. Kramer, Pails v. Schroeder. Schroeder was the surprise choice for the singles as most experts have been tipping Frankie Parker, American singles champion in 1945. —Reuter.

REBEL LABOURITES REACT TO BEVIN'S SPEECH

London, Dec. 23. The rebel Labourites to-day generally welcomed Mr Ernest Bevin's foreign policy speech but withheld promise of carte blanche support pending further evidence that Britain actually has taken a middle road between capitalist United States and Communist Russia.

The regarded the speech as conciliatory to the Labour Party members who have been criticising Mr Bevin for bringing Britain too closely with the United States while following a policy of firmness if not toughness toward Russia.

The Labour Party critics said Bevin's definition of British policy as that of finding "an approximation of the ideas between the great powers" and establishing harmony between them was what they had been advocating right along.

Mr Kenneth Zilliacus, one of the most vocal Labourite rebels in the House of Commons, said that "in so far as we move along on these lines we fully support the government. But we will not take words for deeds. Mr Bevin and his associates at the United Nations and the Foreign Ministers' meetings are to be congratulated on the successes they gained, but we must not mistake small measures for a decisive turn for the better."

Mr R.H.S. Crossman, who led last month's revolt in the House of Commons against Mr Bevin's foreign policy, could not be reached for comment, but other rebel Members of Parliament generally agreed with Mr Zilliacus. Some Labour Party sources said Mr Bevin's speech was another step in an attempt to squelch once and for all criticism of his foreign policies.

The News Chronicle said Mr Bevin would ask at the next meeting of the Parliamentary Labour Party, after the House convenes on January 21, for a vote of confidence before he went to Moscow for the Foreign Ministers' discussion of Germany.

John L. Lewis Wins Yet Another Round

Washington, Dec. 23. John L. Lewis, chief of the United Mine Workers, to-day won another uncontested round in the softest fight with the Government when the Supreme Court agreed to broaden its pending review of the case to include the legality of the anti-strike injunction issued by Federal Judge T. Alan Goldsborough on December 4.

Acting on a petition filed by Lewis and the United Mine Workers Union, the court said it would add the injunction question to two other major coal issues on which it would begin hearing arguments on January 14.

The Tribunal previously had affirmed separate pleas by the miners and the Government for rulings on Judge Goldsborough's original restraining order forbidding the strike and on the US\$3,510,000 fines he slapped on Lewis and the Union when they ignored that order.

There is no indication as to how long the High Court will require to reach a decision on the three issues, before it, although it was expected every effort would be made to settle the case quickly. —United Press.

American singles champion in 1945. —Reuter.

JAPANESE EARTHQUAKE CASUALTIES STILL MOUNTING

SITUATION UNDER CONTROL

Tokyo, Dec. 23. It was announced this afternoon that according to numerous reports received from military government units in the earthquake area the "situation is well under control."

The latest United States teams' reports from Okayama said that in the Okayama Prefecture (where British units are stationed) the situation was well in hand and, for the present, no outside help was needed.

United Press correspondent Leslie Nakashima phoned from Takamatsu, the worst hit place on Shikoku Island, that the Japanese authorities have announced 728 killed, 974 injured and 70 missing in the latest count of casualties on the island. The authorities estimated there were 60,000 sufferers in Shikoku Island alone, adding that they expected the casualties to grow since the south-east portion of the Kochi Prefecture was still cut off as a result of disrupted communications.

All reports received late to-day concurred that no Allied military or civilian personnel was seriously involved in the quake.

The Kyodo news agency gave the total injured in the 24 prefectures as 1,170 with 92 still missing. The Home Office said 824 were injured and 101 missing.

The Home Office said that 59,000 were homeless in the Wakayama Prefecture, over 60,000 in Kochi Prefecture and 5,900 in Hyogo Prefecture, in which Kobe is situated.

From reliable Japanese figures reporting on demolished or seriously damaged buildings, it was estimated that at least 100,000 quake victims remained homeless on the third night after the disaster struck before dawn on Saturday.

A government source said a total of 10,981 buildings had been either demolished or damaged of which 7,917 were listed as residential homes.

The officially given property losses also included over 2,000 ships shattered by the tidal onslaughts or irretrievably swept out to sea and 27 large bridges crushed.

Meanwhile Japanese and American relief teams continued to converge on the devastated areas. United Press correspondent Peter Kallischer reported from Osaka that an LST manned by a Japanese crew left Nagoya loaded with 20,000 US Army blankets for the relief of victims in quake-stricken areas.

Previously it was reported that six Americans were marooned in the neighbourhood of Shingu, but later reports indicated that all of them were apparently safe.

Kallischer reported that there was absolutely no further news nor confirmation of the reports that a relief

ship carrying American personnel capsized en route to Wakayama, but it appeared they also reached safety. However, a Japanese Red Cross ship bearing American Red Cross representative Richard Day has not established contact with Osaka since it sailed yesterday, but no immediate anxiety was felt for the ship's safety in view of the difficult communications.

In Yokohama, the Eighth Army Commander, Lieut-General Robert L. Elcheberger, announced that no American personnel had been injured or killed in the quake or by the accompanying tidal waves.

Military Measures General Elcheberger earlier, following a meeting with Brig-General Robert W. Crichton, Jr., Commanding Officer of the Kobe base, said disaster plans prepared by the United States authorities a year ago were put into partial effect in the Kobe area immediately following the quake.

The Eighth Army Commander said that prompt reports came in from the US military government units throughout affected areas and emergency measures were immediately started.

Capt Charles H. Back said although he had experienced several Aleutian quakes he had "never seen anything like this."

Only five days' food supply remains in Kochi city to where joint American-British relief is being arranged.

One grave Japanese loss was the 10-century old nationally famous Doko hot springs in north-west Shikoku, which has stopped running as a result of the quake. —United Press.

"Rocked Like Jelly" Kure, Japan, Dec. 23. British Occupation Headquarters in Japan "rocked like a jelly," Lieut-General H.C.H. Robertson, said to-day.

General Robertson said that the tremor lasted one and one-half minutes at Kure and that small objects such as crockery and glasses were tossed about the rooms. He said that many men rushed out of buildings, but there was no panic.

Typical was the building of the 130 Australian General Hospital which is strongly built of reinforced concrete and no damage was done. A few retaining walls came down.

Three landslides near Okayama, which is the Headquarters of the British-Indian Division, have blocked the main railway line between Kure and Tokyo. —Associated Press.

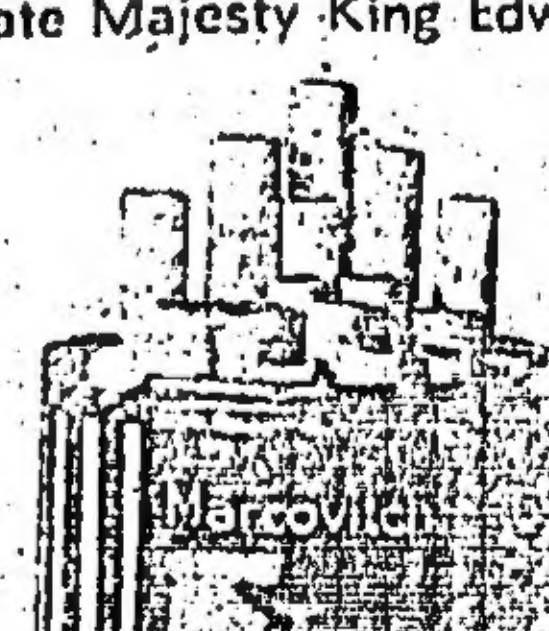
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A WHITE CHRISTMAS—Heavy falls of snow have recently been experienced in England, presaging a traditional White Christmas.

SHOWING TO-DAY **KINGS** AT 2.30, 5.10, 7.15 & 9.15 p.m.

EXTRA PERFORMANCES TO-MORROW AND THURSDAY AT 11.30 A.M.

YOU'LL HAVE A NIGHT OF FLAMING ROMANCE AND ADVENTURE AMID SCENES OF LAVISH SPLENDOR... SOLD INTRIGUE AND GLAZING DRAMA



ALSO LATEST GAUMONT BRITISH NEWS

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LAST 4 SHOWS TO-DAY AT 2.30, 5.10, 7.10 & 9.15 P.M.



Commencing To-morrow AT 12.00, 2.30, 5.10, 7.10 & 9.15 p.m.



With JACK CARSON-ALAN HALE. Directed by ROUL WALSH. Screen Play by Vincent Lawrence and Horace McCoy. Based Upon the Life of James J. Corbett.

SHOWING TO-DAY **MAJESTIC** AT 2.30, 5.20, 7.20 & 9.20 P.M.



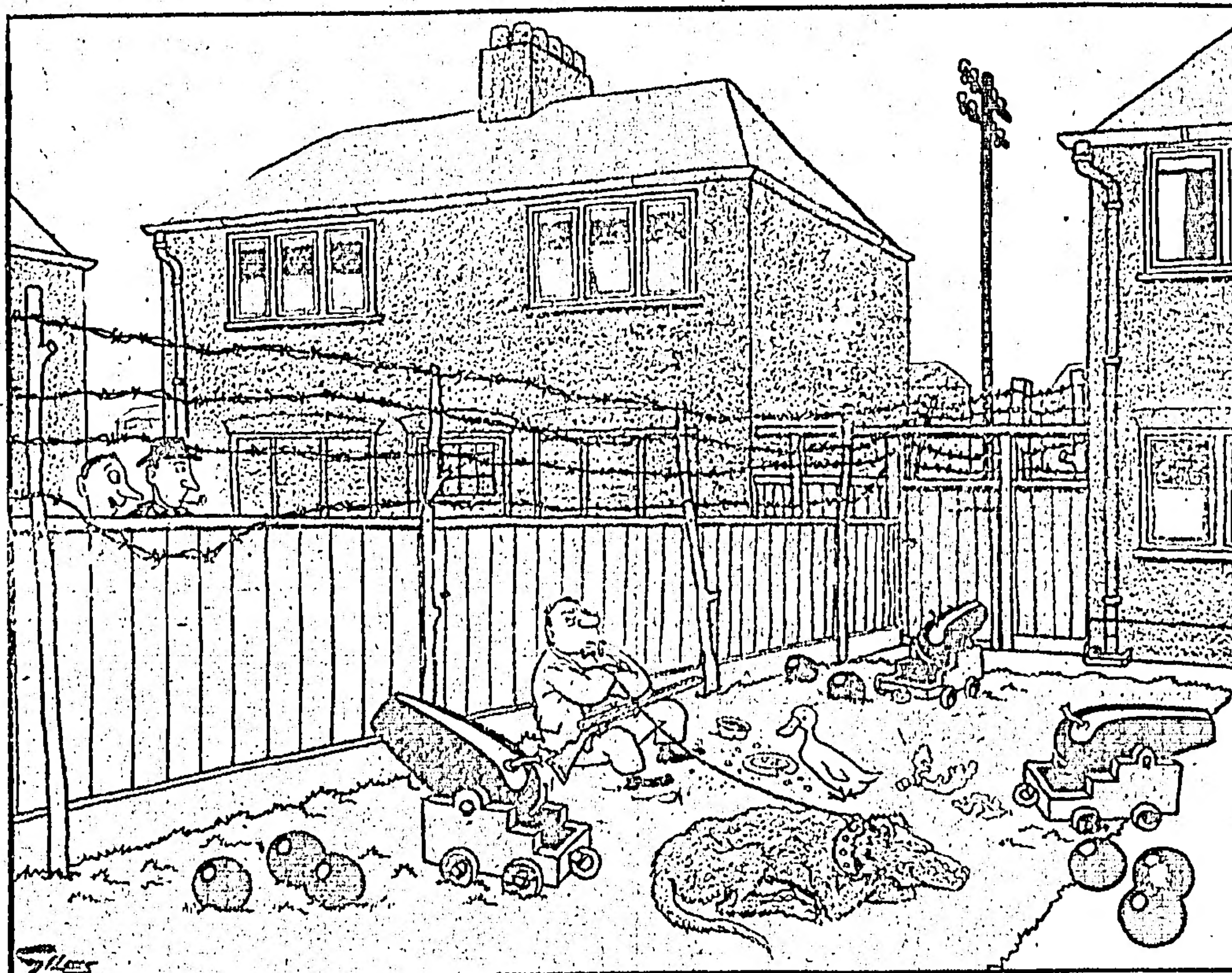
CATHAY GRAND OPENING TO-DAY AT 2.30, 5.15, 7.15 & 9.15 p.m.

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5 SHOWS TO-MORROW AT 12.30, 2.30, 5.15, 7.15 & 9.15 p.m.



"Never saw a man so worried about losing his Christmas dinner."

THE BELLS RING, REJOICE!

All down the ages, the ringing of bells has been the traditional method of summoning people together. And so, at this Christmas season, when the bells call us to rejoice, we look back with L. M. BRAYBROOKE to the origin of the custom, almost as old as Christianity itself.

It would be impossible to say when bells were first invented, but it is certain that they have an incredibly long pedigree. The Bishop of Nola, Paulinus, has the credit of introducing them into Christian churches. Long before that, however, they had their place in Jewish ceremonies. In the Bible, we read of a golden bell and pomegranate on the robe of the High Priest. Bells were used in the religious rites of Cybele, in Athens, and in the camp and garrisons of Greece, and the ringing of bells announced the Feast of Osiris in Egypt. All these bells were hand-bells. They were made of thin plates of hammered iron, wedge shaped; some of them were very elaborate and enclosed in rich and costly cases.

The first tunable bell known was presented to the Abbey of Croyland by the Abbot in 945. Egelric, his successor, added six others. One of these bells was named Bartholomew. That saint was particularly invoked against thunder and lightning, and a relic of his thumb with which, in his lifetime, he used to cross himself, was kept in the Abbey.

Prior to the thirteenth century, the founding of bells, like most of the other arts, was carried out for the most part under the direction of monks and clergy. Bells were often cast within the precincts of religious houses and graveyards, in days when roads were bad and transport almost impossible. In the fourteenth century, the big bell of St. Albans, called 'Amphibalus', was recast in the hall of the abbey. In Huddersham, in the Isle of Ely, bells were cast within the walls of the church. 'Great Tom' of Lincoln, was recast in the Minster Yard, in 1610.

Unfortunately, bells cast in the thirteenth and fourteenth centuries were rarely dated; consequently only a few were known. The oldest bell known in England is dated 1205, and hangs in St. Chad's Church, Cloughon, Lancashire. In pre-Reformation times, change-ringing was unknown, so the founders sought to produce dignity and grandeur in the tones of their bells. This was effected by using more metal in their casting. In parish churches in the Middle Ages three bells were most commonly used, while the single bell was almost unknown.

After being cast, bells were solemnly blessed. The ignorant people called this ceremony baptism of the bells, and in some Catholic countries even to-day, this consecration is often alluded to as baptism. The bell is marked by the bishop with water on which salt has been cast. It is dried by the acolytes, and the bishop dips his thumb in the holy oil for the bell, and makes the sign of the Cross on the top of the bell, after which he again marks it with holy oil and chrism. The bell is then consecrated.

Most bells bear an inscription; in pre-Reformation times this inscription was often an appeal to some saint to pray for the people. Frequently, indulgences were granted at the consecration of bells to the faith-

ful, who should devoutly recite some prayer when they heard the sound of the bell. St. Michael the archangel's name is frequently found inscribed. Here is an ancient inscription invoking Gabriel at Althorpe, Lincolnshire: 'Miserere de Coelis nome Gabrielis.'

Bells of the post-Reformation bear no invocation, and, more often than not, are called by some secular name.

From the fourteenth to the seventeenth centuries the alphabet is not infrequently met with in bell inscriptions. The letters are sometimes in reversed order or otherwise misplaced. Encaustic tiles with the alphabet are also found.

In the earlier stages of Christianity small bells were very popular. Missionaries would frequently carry one with which to assemble the people to hear them preach. These portable bells were held in great veneration, for they were believed to be gifted with some miraculous power, and, instead of swearing by the gospel, it was customary to swear by these bells.

Responding properly to a takeout double requires a special philosophy of bidding. Observe to-day's deal.

West, dealer.

Both sides vulnerable.

NORTH
♠ 63
♥ A87
♦ A632
♣ A784

WEST
♠ A10854
♥ KQ63
♦ KQ76
♣ —

EAST
♠ QJ
♥ 10542
♦ J1098
♣ 753

SOUTH
♠ K972
♥ QJ
♦ 4
♣ KQ10962

This was the bidding in a game where all four players enjoyed the reputation, "far better than average."

West ♠ Pass North ♠ Pass East ♠ Pass South ♠ Pass

It was no feat for South to collect three overtricks on his two-club contract, merely by exercising restraint

Hand-bells are still in use in churches. In Catholic churches, they are rung at the start of the mass called the sanctus and again at the elevation. In Catholic countries even to-day a hand-bell is rung before the priest who is carrying the Host through the streets on his way to some sick person. It is also used in funeral processions.

On Maundy Thursday, all the bells are rung in Catholic churches at the part of the mass called the 'Gloria in excelsis', and then they are heard no more till the 'Gloria in excelsis' on Holy Saturday, when the bells peal out in joyful anticipation of the Resurrection. In France, the children are told the bells have gone to Rome when they cease to ring on Maundy Thursday.

The curfew bell is still to be found in some parts of rural England. The accepted belief is that it was instituted by William the Conqueror, or in 1058. No doubt he brought the custom with him from Normandy where the 'Curfew' (to put out the fire bell) was always rung at dusk, as it was all over France, as a wise precaution against fire, easily kindled in huts made of wood and thatch.

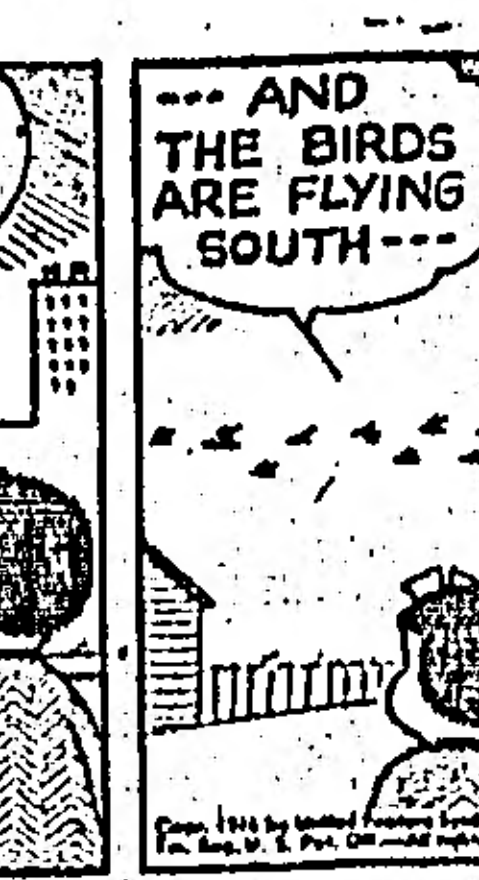
about drawing trumps. The favourable position of the heart king— which was only natural, considering West's opening bid—was the only bit of luck required.

The fault for missing this near-laydown game was, of course, exclusively South's. His two-club response to the takeout double was highly unresponsive, considering the strength of his holding! After all, he would have had to bid two clubs with as bad a hand as

Spade xxxx Heart xxx
Diamond xxx Club xxx

The difference between this (admittedly an extreme illustration) and what South actually had been dealt was so enormous that, surely, it was worth describing via the response. The horrible hand cited would be worth exactly nothing, whereas South's actual holding was worth about six tricks at a club contract, to say nothing of the control that his singleton diamond gave him. Thus, on the basis of showing how much more than a bust he had, South should have jumped to three clubs—and North might have become more interested in game possibilities. The two-club bid stopped North dead in his tracks.

NANCY Attack of the Heavies



By Ernie Bushmiller

ZBW Goes All Out This Year

By "Mike"

ZBW is going all out during the coming festive season to give listeners the best radio fare available. They have marshalled nearly all available local talent—in passing, it may be said that it is very sporting of the performers to be giving up their time for the broadcasts during the holidays—besides arranging for the best transcriptions and relays. And that shows commendable organisation, considering the technical difficulties which the local station is still labouring under.

The Christmas programmes open this evening at 6.30 p.m. with "Music for Christmas," a BBC arrangement with comments by ZBW's own announcer. This will be followed at 7.30 by a light piano recital from the studio by George Lobbs which will include more Christmas music. At 8 o'clock, a radio play will be broadcast; the title is "The Top of the Tree," and it is an unsophisticated love story about a Christmas tree.

KING'S MESSAGE

To-morrow, Christmas Day, London relays and transcriptions of Christmas messages from Britain, Empire countries, Europe and our Occupation Forces in Japan will commence at 10 p.m. At 11 p.m., listeners should stand by for the Christmas message from His Majesty the King.

On Boxing Day, Betty Drown and Ken Barrett will give a two-act recital from the studio, commencing at 1.15 p.m. At 5.30 there will be a special Children's Hour, to be followed at 7.30 by Hal Lorenzo. After this swing professor comes serious music at 9.30 by Harry Ore, who nowadays broadcasts all too seldom.

NEW YEAR'S EVE

ZBW has also arranged a fine programme for New Year's Eve. The evening programme will start at 6.30 p.m. with another special children's hour. Then at 7.15 Michael Boder will give a Chopin recital from the studio, followed by another studio concert at 8 p.m. in which the following will take part—Molly Birks (mezzo soprano), Geoffrey Nathan (baritone), Vic Orr (violin) and Betty Drown (piano). At 9.10, "Helen," a murder play by Donald Rudd, will be broadcast.

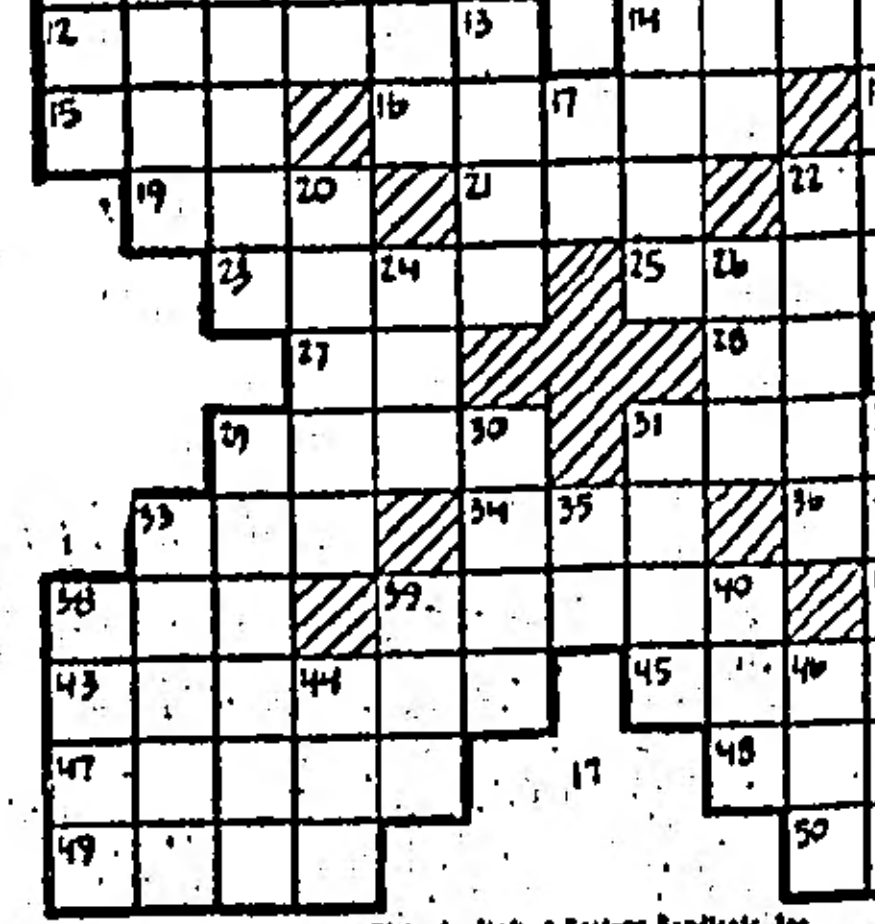
The year's variety favourites will be played from 9.40 till 11 p.m. The station will remain on the air until midnight, when the New Year will be brought in with the bells of St. Margaret's, Westminster, and Peter Dawson singing "Auld Lang Syne."

Crossword Puzzle

ANSWER TO PREVIOUS PUZZLE

ACROSS
1—Hairs
2—Always
3—Winter constellation
11—Went to a line
12—Part of a line
14—One called in law
15—River in England
18—Cold wind of Adriatic
19—Country leader
20—Fall back
21—Curve
22—Means to
23—Grass plot
25—Malay knife

DOWN
1—Have
2—Tempest
3—Hired
4—Female rabbit or deer
5—Unit of work
6—Great table (pl.)
7—German city
8—Network
9—Lamb
10—Roman coin
11—Horseberry-colored horse
12—Shortage
13—Fruit
14—Female coat
15—Furnished
16—Fruit
17—Indian god
18—Like
19—What ice cream does
20—Little valley
21—Orbit
22—Hole
23—Motion
24—Twice
25—Digit



Drawn by E. J. B. for the Hong Kong Telegraph.

(Continued from Page 1)

people who protested against detention in various places not far from the city. They were not to be prisoners, but these places were insanitary and in them people died so poorly fed that they were actually dying because of the treatment received. Permission was asked to inspect these prisoners, but it was refused. All that happened was in 1942-43. But you will see that helpless people still continued to be for the same reason, in 1944 that is why the prosecution insists to show you the state of the camp in 1944; that they were exactly the same as in 1942. Protests were made, but no avail against a settled policy simply because it was settled. It was a policy.

Those who were imprisoned. Accurate own HQs will tell you

Tsinani, Dec. 22

TO-DAY'S BROADCAST

ZBW on 845 kc from 12.30-1.15. 6.30-7.30

possible for the illegal actions of his subordinates, since on that device "Accused" liability or otherwise of the charge. The full limits of the responsibility I do not propose even try to enunciate here. But you will be approaching the matter cautiously if you ask yourself two questions.

(1) Did Accused order the act?

(2) Did he acquiesce in their maintenance then, or knowing why was going on, fail to stop them. And as an inference from (2) the CO. by his own deliberate reckless omission, disregard warnings or signs that things are as they should be, he can't plead ignorance, because the ignorance, if it exists, is his own.

"There is one thing more to say before calling the first witness. I want to emphasize this one aspect. This case is brought against NCOs on actions which, if proved, were clearly illegal. The actions were continuing ones, over a period of years and as widespread as the Colony will permit. It is a matter and submitted grossly that many men complained of were all their very nature notorious. The Accused is an experienced soldier, a mature man whose education is limited merely to his Army experience. You must scrutinize actions, therefore, far more carefully than you would a junior officer or NCO. You are entitled to expect from him a far higher standard of skill and behaviour than you would from any of his inferiors, and is claimed at least that he knew what was happening and he failed to check the evil. Ask yourself if easy it would have been to take action on any of the matters I put before you. And what horrors suffering and death he could have caused."

avoided. That he did not do
provided misery and suffering to
degree unparalleled in the history
the Colony."

Case proceeding.

Printed and published by Frederic
Percy Franklin for and on behalf
South China Morning Post Limited
at 1-3 Wyndham Street, City of Hong
Kong, in the Colony of Hongkong

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